

4/10/2001

ORDINANCE NO. 000406-13

AN ORDINANCE RELATING TO IMPERVIOUS COVER CREDITS RETAINED BY WILLIAM S. WALTERS, III AND SUPERSEDING CHAPTER 25-8, SUBCHAPTER A (WATER QUALITY) OF THE CITY CODE TO THE EXTENT OF CONFLICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. IMPERVIOUS COVER CREDITS.

Except as otherwise provided in this ordinance, William S. Walters, III, Trustee, is permitted to retain the rights to 335,000 square feet of impervious cover credits from the approximately 60.127 acres of real property purchased by the City of Austin and located southwest of the intersection of Capital of Texas Highway South (Loop 360) and MoPac.

PART 2. CONDITIONS.

The impervious cover credits described in Part 1 are subject to the following conditions:

- (1) William S. Walters, III, Trustee, must allocate 160,000 of the 335,000 square feet of impervious cover credits to the development of the Oak Hill Technology Park, consisting of 22.352 acres located at 4815 Boston Lane and 5366 and 5408 U.S. Highway 290 West at Southwest Parkway, as more particularly described on Exhibit "A". The allocation does not affect the validity of any restrictive covenants running with the Oak Hill Technology Park land. Oak Hill Technology Park must comply with the non-impervious cover requirements of Chapter 25-8, Article 12 (*Save Our Springs Initiative*).
- (2) William S. Walters, III, Trustee, may allocate the remaining 175,000 square feet of impervious cover credits to any development located inside the desired development zone, as described in Section 25-1-21 of the City Code and as it exists on April 10, 2000, if:
 - (a) written notice of the proposed allocation is provided to the director of the City's Development Review and Inspection Department; and

(b) the written notice includes a legal description of the receiving tract, the number of square feet of impervious credits proposed to be allocated, the number of square feet from the original 175,000 remaining after the proposed allocation, and the percentage of total impervious cover on the tract.

(3) William S. Walters, III, Trustee, may assign all or a portion of the 175,000 square feet of impervious cover credit to a third party after written notice to the director of the City's Development Review and Inspection Department.

PART 3. TERMINATION.

Impervious cover credits not allocated to development by April 10, 2015, shall expire on that date.

PART 4. RELATIONSHIP TO OTHER LAW.

This ordinance supercedes Chapter 25-8, Subchapter A (*Water Quality*) of the City Code to the extent of conflict.

PART 5. WAIVER.

The Council waives the requirements of Sections 2-2-3 and 2-2-7 of the City Code for this ordinance.

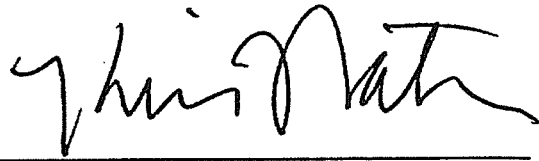
PART 6. EFFECTIVE DATE.

This ordinance takes effect on April 17, 2000.

PASSED AND APPROVED

April 6, 2000

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Kirk Watson
Mayor

APPROVED: 
Andrew Martin
City Attorney

ATTEST: 
Shirley A. Brown
City Clerk